



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,276	01/30/2002	Kiyoshi Sakai	116692001100	2638

25227 7590 08/03/2004

MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

EXAMINER

HARRIS, CHANDA L

ART UNIT	PAPER NUMBER
----------	--------------

3714

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/058,276

Applicant(s)

SAKAI ET AL.

Examiner

Chanda L. Harris

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3714

DETAILED ACTION

Status of Claims

In response to the Amendment filed 1/5/04, Claims 1-17 are canceled. Claims 18-30 are pending.

Note: The non-responsive amendment and election by original presentation notice sent out in the last office action is withdrawn. Per Interview with Applicant on 5/11/04, Examiner has considered Applicant's correspondence faxed on 5/10/04 and has thereby determined that the newly submitted claims 18-30 filed 1/5/04 do fall within the scope of the invention as originally claimed.

Claim Objections

Claim 20 is objected to because of the following informalities: Line 3: "lecture" should be -- lecturer --. Appropriate correction is required.

Art Unit: 3714

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton (US 5,176,520) in view of Mortimer et al. (US 6,091,930).

[Claim 18]: Regarding Claim 18, Hamilton discloses a lecture terminal (i.e., teacher station) and a plurality of listener terminals (i.e., student computers).

See Col.2: 40-43. Hamilton discloses the lecture terminal comprising: a first input unit, the first input unit comprising a touch panel by detecting positions at which the lecturer touches the touch panel, obtaining coordinates of the detected positions and outputting coordinate information corresponding to the detected positions (Col.6: 64-Col.7: 3); a written-information sender configured to identify the lecture-written information and send the identified lecture-written information to the listener terminals (Col.2: 55-57).

Hamilton does not disclose expressly a first reader configured to read from a listener recording medium book information representing information from a book, a first display configured to display, on a listener page, the book information and the lecture-written information from the written-information sender, and a first writer configured to record, on the listener recording medium, the lecture-written information displayed by the first display. However, Mortimer

Art Unit: 3714

teaches a first reader (i.e., student CITbook) configured to read from a listener recording medium (i.e., student CIT book) book information representing information (e.g., figures, text) from a book (e.g., professor CITbook). See Col.6: 7-15, 37-42. Mortimer teaches a first display configured to display, on a listener page (i.e., student CITbook), the book information and the lecture-written information from the written information sender. See Col.6: 7-12. Mortimer teaches a first writer (i.e., data entry module) configured to record, on the listener recording medium, the lecture-written information displayed by the first display. See Col.7: 39-44. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton, in light of the teaching of Mortimer, in order to enable inputting, formatting, and displaying educational material in a manner deemed most appropriate.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer as applied to claim 18 above, and further in view of Fernandez (US 4,855,725).

1. [Claim 19]: Regarding Claim 19, Hamilton/Mortimer disclose a second reader configured to read (i.e., professor CITbook), from a lecture recording medium, the book information and a second display configured to display, on a lecture page, the book information. See Col.6: 47-50.

Art Unit: 3714

Hamilton/Mortimer does not disclose expressly an index sender configured to send the listener terminals index information for specifying a range in that the book information is to be displayed, and the first reader reads, from the listener recording medium, the book information in the range specified in the index information. However, Fernandez teaches such in Col.7: 12-17, 24-30. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate an index sender into the method and system of Hamilton/Mortimer, in light of the teaching of Fernandez, in order to enable user selection of page numbers for display.

2. [Claim 20]: Regarding Claim 20, Hamilton discloses the touch panel is arranged on the lecture page (i.e., teacher's display). See Col.2: 48-51. Hamilton discloses the second display displays the lecture-written information in a position where the lecturer (i.e., teacher) has written the lecture-written information. See Col.2: 47-51 and Col.3: 48-55. Hamilton discloses the lecture-written information sender sends to the listener terminals, position information (i.e., coordinate positions) that represent a display position of the lecture-written information, together with the lecture-written information and the first display (i.e., student display) displays the lecture-written information in the position specified in the position information. See Col.2: 47-51 and Col.6; 64-Col.7: 3.

Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Fernandez as applied to claim 20 above, and further in view of Sallette (US 6,155,840).

Art Unit: 3714

1. [Claim 21]: Regarding Claim 21, Mortimer discloses each of the lecture recording medium (i.e., professor CIT book) and the listener recording medium (i.e., student CIT book)) records lecture information representing lecture contents of the book. See Col.6: 7-10. Mortimer discloses the second reader reads the lecture information together with the book information and the first reader reads the lecture information together with the book information. See Col.7: 39-50.

Hamilton/Mortimer/Fernandez does not disclose expressly the second display divides the lecture page into a plurality of areas and displays the book information and lecture information respectively the plurality of areas and the first display divides the listener page into a plurality of areas and displays the book information and the lecture information respectively in the plurality of areas. However, Sallette teaches the concept of displaying various types of information in a plurality of areas on a page. See FIG.7 and Col.7: 46-49. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Mortimer/Fernandez, in light of the teaching of Sallette, in order to provide an interface that allows the user to accomplish multiple tasks (e.g., viewing, providing feedback).

2. [Claim 22]: Regarding Claim 22, Mortimer teaches the lecture terminal further includes a second writer (i.e., data entry module) that records the lecture-written information displayed by the second display on the lecture recording medium. See Col.7: 39-44.

3. [Claim 23]: Regarding Claim 23, Hamilton discloses at least one of the

Art Unit: 3714

listener terminals comprising: a second input unit comprising a touch panel placed on the listener page and inputs listener-written information written by the listener on the listener page, by detecting a position touched on the touch panel by a listener and by outputting position information representing the detected position, and an information processing unit that obtains coordinates of the position touched on the touch panel by using the position information provided by the second input unit and generates display data for displaying the listener-written information by using the obtained coordinates. See Col.6: 64-Col.7: 3.

4. [Claim 24]: Regarding Claim 24, Mortimer teaches wherein the first writer records, as a single file (e.g., presentation module), a plurality of information pieces (e.g., text, video, audio, etc.) displayed by the first display on the listener recording medium. See Col.6: 37-42.

Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Fernandez/Sallete as applied to claim 24 above, and further in view of Sanford (US 6,688,891) and Lee et al. (US 6,064,856).

[Claims 25-26]: Regarding Claims 25 and 26,

Hamilton/Mortimer/Fernandez/Sallete does not disclose expressly an attendance-management terminal configured to manage listener attendance, at least one of the listener terminals comprising: an attendance-information sender (i.e., biometric "on-button) configured to send attendance information representing listener attendance at a lecture (i.e., class) to the attendance-management terminal. However, Sanford teaches such in Col.26: 29-67. The

Art Unit: 3714

attendance-management terminal in Sanford is capable of being configured to use the attendance information to obtain a percentage of lectures attended by a listener. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate an attendance-management terminal into the method and system of Hamilton/Mortimer/Fernandez/Sallete, in light of the teaching of Sanford, in order to keep a record of attendance.

Hamilton/Fernandez/Sallete does not disclose expressly sending attendance information in response to a listener touching a touch panel located on the listener page; the listener terminal comprises a detector configured to detect that a listener has touched a position on the touch panel corresponding to the position of the displayed symbol and, upon detection that the listener has touched the listener page, the attendance information sender sends the attendance information to the attendance-management terminal. However, Lee teaches the concept of a user touching a touch panel (i.e., touch sensitive screen) corresponding to the position of a displayed symbol (i.e., color-coded figure), and a detector (inherent). See Col.5: 53-60. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Fernandez/Sallete, in light of the teaching of Lee, in order to facilitate younger students in making selections.

Art Unit: 3714

Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Fernandez/Sallete/Sanford/Lee as applied to Claims 25 and 26 above, and further in view of Richter et al. (US 6,615,020).

1. [Claim 27]: Regarding Claim 27, Sanford discloses an acquirer (i.e., e-Slate). See Col.26: 36-67.

Hamilton/Mortimer/Fernandez/Sallete/Sanford/Anju does not disclose expressly a credit-management terminal (i.e., audit trail system) configured to determine whether a listener has passed a course, the credit-management terminal (i.e., audit trail system) comprising: a database configured to store a listener's exam result, an acquirer (i.e., audit trail system). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Mortimer/Fernandez/Sallete/Sanford/Anju, in light of the teaching of Richter, in order to monitor a student's participation in a course.

2. [Claims 28-29]: Regarding Claims 28 and 29, Mortimer teaches a marking terminal (i.e., gamer) configured to mark a listener's answer to a multiple-choice exam question. See Col.25: 24-25. The questions in Mortimer are capable of being multiple-choice questions. Mortimer teaches at least one of the listener's terminals comprising: an answer acquirer (i.e., gamer) configured to acquirer an answer written by a listener on a listener page, and an answer sender (i.e., gamer) configured to send the acquired answer to the marking terminal (Col.25: 21-24), the marking terminal comprising: a memory configured to store correct answers and a marker configured to mark the acquired answer using the correct

Art Unit: 3714

answers stored in the memory(Col.25: 22-25). Mortimer teaches wherein the marking terminal (i.e., gamer) comprises a result sender configured to send a marked result of the marker to the credit-management terminal as the exam result of each listener. See Col.25: 24-25. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Hamilton/Fernandez/Sallette/Sanford/Anju/Richter, in light of the teaching of Mortimer, in order to test a student's comprehension of a subject matter.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton/Mortimer/Fernandez/Sallette/Sanford/Lee/Richter as applied to Claim 27 above, and further in view of Lemelson et al. (US 5,823,788).

[Claim 30]: Regarding Claim 30, Mortimer teaches a marking terminal (i.e., gamer) configured to mark a listener's answer to an essay exam question. See Col.25: 24-25. The questions in Mortimer are capable of being essay exam questions. Mortimer discloses an answer sender (i.e., gamer) configured to send the acquired answer to the marking terminal. See Col.25: 21-24. Mortimer discloses a memory (i.e., gamer) configured to store an answer provided by the answer sender, the memory stores marking results carried out by the lecture. See Col.25: 26-42.

Hamilton discloses an answer acquirer (i.e., teacher's station) configured for acquiring an answer written by a listener on a touch panel on a listener page. See Col.2: 44-47, Col.2: 65-Col.3: 3.

Art Unit: 3714

Hamilton/Mortimer/Fernandez/Sallete/Sanford/Anju/Richter does not disclose expressly a display (i.e., instructor display) configured to present the answers of the plurality of listeners to the lecture by displaying the answers of the plurality of listeners stored in memory (i.e., one or more student's answers to each question or selected questions). However, Lemelson teaches such in Col.1: 62-Col.2: 8. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate a display that displays answers for a plurality of listeners into the method and system of Hamilton/Mortimer/Fernandez/Sallete/Sanford/Anju/Richter, in light of the teaching of Lemelson, in order to enable an instructor to see how well students are learning the subject matter and adjust instructional techniques based on the feedback.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Anju (US 4,963,097)
 - touch-sensitive CRT display screen
- Schenker et al. (US 6,633,223)
 - tracking student attendance

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chanda L. Harris
Examiner
Art Unit 3714

ch.